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Letter dated 29 September 2004 from the Permanent Representative of Bolivia to the United Nations addressed to the President of the General Assembly

I have the honour to transmit herewith the text of the written statement of the delegation of Bolivia in exercise of the right of reply to the statement of the delegation of Chile issued as General Assembly document A/59/379 of 23 September 2004.

I should be grateful if the text of this letter and its annex could be circulated as a document of the General Assembly.

(*Signed*) Ernesto **Aranibar Quiroga**
Ambassador
Permanent Representative to the United Nations

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Annex to the letter dated 29 September 2004 from the Permanent Representative of Bolivia to the United Nations addressed to the President of the General Assembly

Reply of the Republic of Bolivia to the statement made by the Republic of Chile in exercise of the right of reply at the fifty-ninth session of the General Assembly

Mr. Carlos D. Mesa, President of the Republic of Bolivia, in his statement to the General Assembly, reiterated Bolivia's right to have a free, useful access to the sea under its jurisdiction and proposed a dialogue of rapprochement with Chile within the framework of a process of cooperation and integration.

The Bolivian Government is drawing the international community's attention to the issue of Bolivia's outlet to the sea because it is a historical imperative. It has been demonstrated that being landlocked reduces Bolivia's economic growth rate, affects the development and welfare of its citizens and adversely affects its prospects for international integration.

The Government of Bolivia has been grateful to the international community for the support and solidarity extended to Bolivia in connection with its historical and inalienable claim. The Government reiterates that it will continue to reaffirm this undeniable case in every regional and multilateral forum so that the support and backing it secures will lead to a lasting solution to the problem. Bolivia's decision to seek an outlet to the sea continues and will continue because the Government is only seeking to reflect the feelings of each and every citizen of the Bolivian nation. That point of view was endorsed by item number 4 of the binding referendum conducted on 18 July 2004.

During the War of the Pacific, the Government of Bolivia not only lost 400 kilometres of coastline, 120,000 square kilometres of territory, four ports and seven coves, but also its maritime position, which linked it to the rest of the world. Maritime status refers to the presence and influence of a country in a given geographical area. In this case, Bolivia lost its presence and influence in the South Pacific and the Pacific Rim as a whole, an economic space which has currently assumed significant importance for international trade.

Many factors in Bolivia and the South American region show that there is an outstanding problem between Bolivia and Chile. The lack of diplomatic relations is one manifestation of the fact that the problem between the two countries has not been resolved. The resumption of diplomatic relations should not be the beginning but rather the outcome of negotiations. For decades, the Government of Bolivia has persistently and consistently urged Chile to join it in addressing Bolivia's request for maritime access comprehensively at any time and in any forum. Nevertheless, despite Bolivia's constant appeals for an open and unconditional dialogue with the Chilean Government, it is yet to receive a positive response in keeping with the demands of our time.

Free access to the sea is a fundamental principle of international relations, especially in an era of globalization, openness and free trade. In the bilateral sphere, the free transit regime that Chile grants Bolivia is an obligation arising from the 1904 Treaty, and not a free concession by Chile. Over the past century, and through

various agreements signed between the two countries, that regime has been consolidated although incidents have constantly occurred in Chilean territory and Chilean ports affect and violate Bolivia's rights. Furthermore, the free transit regime has a number of limitations and is subject to the vicissitudes of Chile's domestic policy, limiting trade prospects and subjecting Bolivia to constant rate hikes, not to mention strikes and stoppages by various labour sectors. In that regard, the privatization of the ports of Antofagasta and Arica being carried out by the Government of Chile will have adverse effects on bilateral agreements, the physical presence of the Bolivian State in Chilean ports, the responsibilities solemnly undertaken by the Chilean State, as well as on Bolivia's free transit rights.

In the view of the Government of Bolivia, southern Peru, northern Chile and western Bolivia have historical and geopolitical ties. The three regions form part of a complimentary triangle in which gas plays a key role. Chile should courageously and generously accept that the solution of this long-standing problem is contingent on the ability of the two countries to resolve the nineteenth century issue of Bolivia's access to the Pacific. The largest urban centres of the tri-State area constitute a pole of attraction, growth and development for three regions of three different countries that could and should become sister regions that are, in fact, economically complementary.

Apart from being a bilateral problem that puts Chile at odds with Bolivia, the denial of a sea access to Bolivia is a matter of hemispheric importance which hinders regional balance and integration. Southern Peru, northern Chile and western Bolivia share a common history and common economic, linguistic and cultural ties and a common future which has to be built together. The process of integration from the Atlantic to the Pacific, including trade among Brazil, Argentina, Paraguay and Peru, cannot be completed if Bolivia and Chile do not resolve the maritime access dispute once and for all and jointly address the challenge of seeking a comprehensive solution, because the transport, digital and energy corridors through Bolivia that must link up points on the Pacific and Atlantic coasts could only be smooth, effective and above all efficient for the region when a problem that will continue to plague a historically inevitable process of integration is put to rest.

Bolivia will not be satisfied until it regains a free and useful outlet to the sea that is fully under its jurisdiction, an outlet to which it is entitled by law. Gradually and inevitably, the proper development of the South American region requires that this should happen. For all the foregoing reasons, Bolivia is absolutely certain that its century-old claim for an outlet to the sea will be heard and addressed from a historical, legal, moral and economic perspective.